

**Proposed Substitute
Bill No. 912**

LCO No. 4909

**AN ACT INCREASING THE CIVIL PENALTY FOR VIOLATING A STOP
WORK ORDER.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 31-69a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2015*):

3 (a) In addition to the penalties provided in this chapter and chapter
4 568, any employer, officer, agent or other person who violates any
5 provision of this chapter, chapter 557 or subsection (g) of section 31-
6 288 shall be liable to the Labor Department for a civil penalty of three
7 hundred dollars for each violation of said chapters and for each
8 violation of subsection (g) of section 31-288, except that (1) any person
9 who violates (A) a stop work order issued pursuant to subsection (c) of
10 section 31-76a shall be liable to the Labor Department for a civil
11 penalty of [one thousand] two thousand five hundred dollars and each
12 day of such violation shall constitute a separate offense, and (B) any
13 provision of section 31-12, 31-13 or 31-14, subsection (a) of section 31-
14 15 or section 31-18, 31-23 or 31-24 shall be liable to the Labor
15 Department for a civil penalty of six hundred dollars for each violation
16 of said sections, and (2) a violation of subsection (g) of section 31-288
17 shall constitute a separate offense for each day of such violation.

18 (b) Any employer, officer, agent or other person who violates any

19 provision of chapter 563a may be liable to the Labor Department for a
20 civil penalty of not greater than five hundred dollars for the first
21 violation of chapter 563a related to an individual employee or former
22 employee, and for each subsequent violation of said chapter related to
23 such individual employee or former employee, may be liable to the
24 Labor Department for a civil penalty of not greater than one thousand
25 dollars. In setting a civil penalty for any violation in a particular case,
26 the Labor Commissioner shall consider all factors which the
27 commissioner deems relevant, including, but not limited to, (1) the
28 level of assessment necessary to insure immediate and continued
29 compliance with the provisions of chapter 563a; (2) the character and
30 degree of impact of the violation; and (3) any prior violations of such
31 employer of chapter 563a.

32 (c) The Attorney General, upon complaint of the Labor
33 Commissioner, shall institute civil actions to recover the penalties
34 provided for under subsections (a) and (b) of this section. Any amount
35 recovered shall be deposited in the General Fund and credited to a
36 separate nonlapsing appropriation to the Labor Department, for other
37 current expenses, and may be used by the Labor Department to
38 enforce the provisions of chapter 557, chapter 563a, this chapter and
39 subsection (g) of section 31-288 and to implement the provisions of
40 section 31-4.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2015</i>	31-69a
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